

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KNOTT COUNTY WATER AND)	CASE NO.
SEWER DISTRICT FOR AN ALTERNATIVE RATE)	2019-00268
ADJUSTMENT)	

ORDER

On November 5, 2019, Knott County Water and Sewer District (Knott District) filed a motion, pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, requesting confidential treatment for its response to Commission Staff's, Request No. 3 for ten years. The designated information is more particularly described as the names of the Commissioners on the Knott District Board of Commissioners in relation to total compensation, benefits, and payroll taxes.

In support of its motion, Knott District asserts that public disclosure of the designated information will result in unfair commercial advantage to Knott District competitors. Knott District also asserts that public disclosure of the designated information could be used to threaten or target public utility infrastructure.

Having carefully considered the motion and the material at issue, the Commission finds that the designated information contained in Knott District's responses to Commission Staff's, Request No. 3, does not meet the criteria for confidential treatment and is not exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR

5:001, Section 13.¹ Further, this information, with the exception of one name, was publicly disclosed in Knott District's 2018 Annual Report.

IT IS THEREFORE ORDERED that:

1. Knott District's motion for confidential treatment for its response to Commission Staff's, Request No. 3 is denied.

2. The designated materials in Knott District's response to Commission Staff's, Request No. 3 is not exempt from public disclosure and shall be placed in the public record or made available for public inspection.

3. If Knott District objects to the Commission's determination that the requested information not be granted confidential treatment, it must seek either rehearing pursuant to KRS 278.400 or judicial review of this Order pursuant to KRS 278.410. Failure to exercise either of these statutory rights will be deemed as agreement with the Commission's determination of which materials should be granted confidential treatment.

4. Within 20 days of the date of this Order, Knott District shall file a revised version of its response to Commission Staff's, Request No. 3 for which confidential treatment was denied, reflecting as unredacted the information that has been denied confidential treatment.

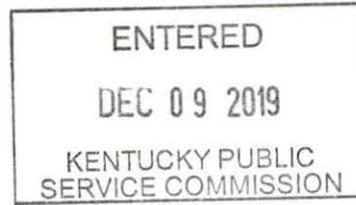
5. The material for which Knott District's request for confidential treatment has been denied shall neither be placed in the public record nor made available for inspection

¹ The Commission has generally held that executive officer salary and compensation does not meet the criteria for confidential treatment because salaries are included as an expense in base rate calculations and because certain executive salary information must be disclosed to the public in any case in other regulatory filings. *E.g.*, Case No. 2017-00349, *Electronic Application of Atmos Energy Corporation for an Adjustment of Rates and Tariff Modifications* (Ky. PSC May 17, 2018) at 1-2; *See also*, Case No. 2012-00221, *Application of Kentucky Utilities Company for an Adjustment of its Electric Rates* (Ky. PSC Sept. 11, 2013) at 1 (denying a request to treat executive salary and benefits as confidential for those reasons).

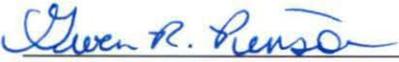
for 30 days from the date of this Order in order to allow Knott District to seek a remedy afforded by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission



ATTEST:


Executive Director

*L Allyson Honaker
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

*Mark Lewis
General Manager
Letcher County Water and Sewer District
3443 US 119 North
Mayking, KY 41837

*Gerald E Wuetcher
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*Mark David Goss
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

*Jared Salmons
Knott County Water & Sewer District
474 Highway 1087 W
Leburn, KY 41831

*Calvin R Tackett
Esquire
40 Main Street
Whitesburg, KENTUCKY 41858

*Jeremy R Morgan
Attorney at Law
PO Box 1268
Hazard, KENTUCKY 41702

*Justin M. McNeil
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Knott County Water & Sewer District
7777 Big Branch Road
Vicco, KY 41773

*Larry Cook
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204